



Town of Arlington

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RE: Explanation of "Division" and its applicability under Article 12

Greetings Town Meeting Members,

Article 12 involves a complex combination of motions. This memo highlights some of the more nuanced procedural aspects that may arise in the course of considering these motions. Also, this memo corrects a subtle error in an earlier memo stating that "if Melofchik Substitute Motion becomes the Main Motion, it is not susceptible of division due to dependence between parts". This is not true in all cases.

First, "dividing a question" means that a question (such as a pending motion) has its vote language divided into parts which are voted separately. For a motion to be susceptible of division, its vote language must be divisible into independent parts that – taken together – add up to the original motion. A question can be divided either by a vote of Town Meeting or by the Moderator "if division will serve some constructive or valuable purpose." (see "Town Meeting Time" §49)

If the Melofchik Substitute Motion is not amended by the Schlichtman Amendment, and the Melofchik Substitute Motion is voted to become the Main Motion, then the Main Motion at that point will not be susceptible of division. This is because the moratorium part will depend on the study committee part: "This moratorium will remain in effect until a final report by the study committee is received by Town Meeting..." That sentence makes the parts interact in a way that prevents division.

But, if the Melofchik Substitute Motion is amended by the Schlichtman Amendment, and the Melofchik Substitute Motion is voted to become the Main Motion, then the Main Motion at that point will be susceptible of division. This is because the moratorium part will not depend on the study committee part, as the clause that prevented division in the original Melofchik Substitute Motion will have been stricken by the Schlichtman Amendment.

If the Benson-Stamps Substitute Motion is voted to become the Main Motion, the Main Motion at that point will be susceptible of division because the two parts are independent of each other: the study committee part doesn't depend on the moratorium part, and the moratorium part doesn't depend on the study committee part, so they can be voted separately.

Note that a substitute motion itself cannot be voted in parts, because substitution is all or nothing. Only after a substitute motion has been voted to replace the Main Motion can division be considered.

Regards,

Greg Christiana